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The Evolution of Congress: A Citizen's Ability to Influence Politics Today

Rebecca Ashley Nudd
Utah State University

THE EVOLUTION of CONGRESS:
A Citizen's Ability to Influence Politics Today

by

Rebecca Ashley Nudd

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Thesis/Project Advisor Advisor	Department Honors
Roberta Herzberg	*Lynn Slade*

Director of Honors Program

David Lancy

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Introduction

> "*We the People* of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."
>
> -Constitution of the United States

Rosa Parks refused to give up her seat on a bus and spurred a year long political bus boycott that helped later change the U.S. Constitution. A mother with a cause rallied a million other moms to march onto Capital Hill and lobby legislators for gun control. There are amazing situations in which one person made a huge difference in today's politics merely because a value-driven belief; but is there more to it? Can one person really make a difference just by believing in something strongly, or does the success of your cause rely upon how much money you have, what your last name is, or if you know the right people?

In the United States today, it seems that there are two myths about involvement in politics, the first being that every citizen makes a difference, or in other words, that every vote counts. This assumption, though a naively wishful goal, is false firstly because roughly twenty-five percent[1] of careless citizens who don't even register to vote, and secondly because of the electoral voting system—causing the popular votes to mean nothing. There are about 285 million citizens in the United States, and they all must be represented by only 435 members of Congress—giving each member about 655 thousand people to represent. This spurs many political theorists to believe:

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[1] Data Election Services Inc., *Voter Registration and Turnout-1996;* 1996, <http://www.fec.gov/pages/96to.htm, (25 April 2005).

> "No matter how conscientious the representative, there is no way to establish face-to-face communication with half a million people. No matter how concerned the citizen, there is no way to convey individual opinions with any realistic hope that they will be heard..."[2]

The second myth, which is equally erroneous, is that the only people who have any influence are millionaires, have powerful families, or exceptional Machiavellian talents that help them succeed in politics. Although it is extremely helpful to be a "Kennedy" or a "Bush," many regular citizens, every day, succeed in participating in local, state, or federal governments. They learn that it is not at all impossible to make a difference if one takes the time to learn how the government works—*really* works. With the knowledge of who's who in a government office, how lobbyists work, what motivates a congressman to action, and the ability to gain the cooperation from the grassroots (not to extreme fortitude and perseverance), one person can rally the support necessary to make an impact on public policy.

This paper represents a study of these key factors that affect the ability to influence and be involved in the Legislative branch of politics. For one seeking to make a difference in political society, a study of the history and development of Congress is imperative to understanding what it has become today.

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[2] Schneier, Gross, *Congress Today,* (New York: St. Martin's Press, Inc., 1993), 7.

Congress in the Early Years

In order to understand how the United States Congress functions today, one must understand how it developed in the past. There were not always 100 senators or 435 representatives in the House. In the beginning, their constituencies consisted of 2.5 million people rather than our 285 million today. While we have vast sources of knowledge and communication tools that allow us to contact our representatives easily, many of the early Americans were not even literate enough to write a letter to Congress. The political society at the nation's birth was not bereft of activists or organizations, nor was there a lack of opinion on how the government should run; but relative to today, there was much less to cumber the relationship between Congress and constituents.

The Early Congressmen

The first congressional sessions took place in Federal Hall, New York City. Then, congressional representatives spent ten years legislating in Philadelphia. Both of these larger cities supplied ample hotels and boarding houses, as well as critics and political activists. Very few of these were to be found in 1800, when the capitol was moved, permanently, to Washington D.C. At one point in 1814, the British army had set fire to every public building in Washington, except for Blodgett's Hotel on Eighth and E Streets.[3] This building was used for Congress to hold sessions in, but any the fire eliminated any other buildings wherein could be held large debates, public hearings or party meetings. Washington definitely was not a welcoming site for visitors or permanent lobbyists.

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[3] U.S. Senate Internet Services, "The Senate Convenes in Emergency Quarters", <http://www.senate.gov/artandhistory/history/minute/Senate_Convenes_in_Emergency_Quarters.htm> (21 April 2005).

The lack of development in Washington D.C., until about the middle of the 19th century, left congressmen no choice but to leave their wives and families at home. It was not until after the Civil War that Pennsylvania Avenue became lined with hotels and boarding houses, wherein many congressmen, politicians, and lobbyists lived for long periods of time. Much legislative business was done outside the Capitol during social gatherings at these hotels and boarding houses, away from formal sessions. Socials were key places for congressmen to debate and learn important information. As one would guess, this atmosphere began to be very inviting to the families of congressmen and political-minded people. All sorts of people came to Washington, each driven by political reasons ranging from concerns over high tariffs to pleading medical aid for war veterans. Many were citizens pleading personal or community causes, while others represented large groups of people. Others still, were paid by companies or individuals to lobby for them in Washington; and the few that decided to use lobbying money unethically have given lobbyists the bad reputation that has continued on today.

A few quickly discovered that to influence Congress, one needed to tap into the social life of the city and cater to the needs of the congressmen. Meals at fine restaurants and expensive gifts were used as tools by some lobbyists to seduce congressmen into voting a certain way. Congressmen, on the other hand, struggled with a lack of accurate information and help to fulfill legislative responsibilities. Often, information about the public's needs came easiest, and sometimes falsely, by those who had the funds to offer it quickly and with great expense. The city was becoming the perfect landscape for those we now call "lobbyists," to infiltrate and influence Congress; while many were helpful, others were cunning and corrupt.

The Early Lobbyists

With the weight and the liability of making decisions for the citizens of the original 13 states, the main difficulty, among others, was how the elected representatives could possibly represent the people correctly. Time spent in sessions of Congress was time spent alienated from constituents. A senator from Virginia or New York probably did not have a difficult time, being in his home state, among his constituency, and then traveling back to Philadelphia for sessions of Congress; whereas, a senator from the Carolinas might find this more difficult. On the other hand, the senator of Rhode Island could rally much of his state's citizens at one time due to their close proximity to one another, and the same senator from New York wouldn't be able to visit every small town in all of New York if he were given a whole year to do it! The difficulty of a congressmen's role was the dichotomy of representing and legislating, two responsibilities that can be mutually exclusive because of geographical constraints.

The responsibility was, of course, not completely on the shoulders of the politicians; the citizens of the states could do their part to have their voice heard. They, too, faced difficulties in doing so. For instance, Joe Farmer from Pennsylvania, whose main worries consisted of whether or not his potato crop would come through, would not have the time to keep up on political issues, let alone write to his representatives every week to tell them his opinion. Just as likely, Sam Sailor, who sails from Nantucket every spring only to get back eight months later, would not be regularly updated about the legislation that would be before the Senate on any certain day.

It is for these main reasons that the art of lobbying came into being. Even though many lobbied for greedy or personal interests, lobbying helped people on both sides of

the fence; those making decisions, and those for whom the decisions were made. Congressmen's responsibilities were made easier when they understood the needs of their constituencies—and this information was made known to them by one representative of a community, a lobbyist paid by the numerous small fees from members of a farmer's guild, or by an owner of many merchant ships. Lobbying came in many forms, but they all helped representatives do their job.

Since the foundation of this country, people have lobbied or petitioned their governmental officials for special action or attention towards their needs. From the early colonies, citizens have written their elected representatives concerning tariffs on imported products, better compensation for veterans who serve in the military, increased wages for federal employees, and many other matters. These issues are not unfamiliar to us today, and they were in no way unimportant then. Without the modern conveniences and technology of today, though, how did one person read every letter from every person in his district/state, and legislate according to their needs? Lobbyists began to play the "middle man" by representing large groups of people allied together in similar circumstances, and then putting their pleas before those who had the power to help them

For example, in 1792, William Hull had been "hired by the Virginia veterans of the Continental Army to lobby for additional compensation for their war service," and in turn had contacted other veterans' groups, asking for their allied support in passing a compensation bill during the coming session of Congress.[4] Probably the largest, most powerful post-Civil War organization that influenced politics was the Grand Army of the Republic (GAR), which was made up of Union Army and Navy veterans. At one point,

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[4] Robert C. Byrd, "Lobbyists", Sept. 28 1987, <http://www.senate.gov/reference/referenc_indix_subjects/Lobbying_vrd.htm> (14 February 2005).

its membership held about 40 percent of eligible Union veterans, which was 409, 489 veterans in the year 1890. The GAR claimed the membership of U.S. Presidents Andrew Johnson, Ulysses S. Grant, Rutherford Hayes, James Garfield, Arthur Chester, Benjamin Harrison, and William McKinley. An organization of such renown had the power and influence to penetrate many social classes and races, establish nearly 7,000 local posts in the northern states, and pass the $1 billion Dependent Pension Act of 1890.[5]

Other organizations and unions continued to band together, working for political purposes; and the power that they wielded continued to grow. During the 1780s many chambers of commerce were established, each representing "a broad range of business interests in a given city or state, often led by bankers, realtors, and representatives of other service industries." These organizations continued to grow larger, but they really flourished during the Gilded Age and Progressive Era (between the late 1860s and World War I) "in response to the challenges of rapid economic growth, labor unrest, and urban political reform." The chambers of commerce, and other organizations, were politically successful because they dealt with broad interests that affected many businesses' property taxes, regulations, and zoning.[6]

Along with large organizations and large memberships came large amounts of money, an evolving development around the turn of the century. As large organizations grew larger and richer, they could ally with more businesses, attain more money, and pay as many lobbyists as they wanted, without accountability to the government, or anyone else, for that matter.

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[5] Stuart McConnell. "Grand Army of the Republic"; *The Oxford Companion to United States History*, Paul Boyer, ed., 2001, <www.anb.org/articles/cush/e0638.html> (1 April 2005).
[6] Colin Gordon, "Chambers of Commerce"; *The Oxford Companion to United States History*, Paul Boyer, ed., 2001<www.anb.org/articles/cush/e0265.html> (1 April 2005).

Lobbyists and advocates for large businesses brought with them money, it is true, but not all of the corruption can be put on their shoulders. Many members of congress were directly involved in the money pandering; some even demanding it! Men like Robert Morris, the superintendent of finance in the 1780s, saw "nothing wrong with using privileged government information to shape his personal investment strategy." [7] He started out as an elitist millionaire, but after messing around in land speculation schemes ended up in financial ruin and prison. Examples of congressmen involving themselves in fraud, and taking advantage of their elected positions, are numerous throughout history, and still happen today.

Many a congressman would find it hard to *not* get caught in the cunning traps of one of the most famous and talented—yet somewhat deceitful—lobbyists of history, Sam Ward, who earned his title as the "King of the Lobby," known for his intelligence, wit, and ability to dazzle powerful people. He influenced congressional heavyweights while filling their stomachs with the most delicious food, the most tasteful wines, and introducing them to the most important people.[8] During the late 19th century, Ward was known to have been hired by President López of Paraguay, the Treasury Secretary Hugh McCulloch and others, for his political prowess and savoir-faire. Why was he so successful? Because he knew the truths about politics that most people didn't. He understood that congressmen had only an hour and a half every day to sit in session, considering over four thousand bills in one session, and that there was no way that they could fully read and understand what each one meant. The congressmen did not have

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[7] U.S. Senate Internet Services, "The First Two Senators--An Odd Couple," <http://www.senate.gov/artandhistory/history/minute/The_First_Two_Senators_-_An_Odd_Couple.htm> (21 April 2005).
[8] Byrd, *Lobbyists,* 1987.

analyses of each bill, opposition arguments and speeches to accompany them both; this is why Ward put them in the path of men who did know these things—men who were specialized in specific areas, and could offer the congressmen the knowledge they could not get alone. The motto that Ward worked by was that "the shortest distance between a pending bill and a Congressman's "aye" lay through his stomach."[9]

This key, which was then known only by the few individuals who really understood the life of Capitol Hill and how it functioned, would later create the need for lobbying regulations, registration, and ethics rules. With the booming population of the twentieth century, the increasing issues Congress had to face, and the number of special interest or advocacy lobbyists growing, it would be increasingly clear that reform would be needed. Although Congressmen were usually well intentioned, true reform would not take place until halfway through the century, and the results were lobbyist registration, and the opening of a door that would increase the Capitol Hill bureaucracy by almost a thousand percent.

[9] Kathryn Allamong Jacob, "King of the Lobby," *Smithsonian Magazine*, May 2001, <http://www.smithsonianmag.com/smithsonian/issues01/may01/ward.html> (24 April 2005).

Reform in the 19th Century

Following an age of booming population and industry that was the Gilded Age (1878-1889), Congress was in need of reform to be able to adapt to the change in America. The next century was filled with those direly needed reforms, which included mandatory registration of all lobbyists, and defining what groups were considered "lobbyists." In the actual Congressional houses, the beginning of an evolution began with the appropriations for congressional staff—professionals that would help with legislative work. These two major reformations would mold Congress into what it has become today.

Lobbying Reformation

Although there was corruption in the secret forces guiding congressmen's votes, lobbying was a vital part of government that couldn't be completely excluded. In Margaret Thompson's study of lobbying during the Progressive Era, she found that lobbying was beneficial because it

> "offered services that were valuable to both clients and officials of an overburdened and underequipped federal sector. Citizens had turned to lobbyists in the first place because their expert advocacy helped to focus policymakers' attention on demands that might otherwise have gone unnoticed permanently amid so many others. Legislators, meanwhile, found themselves listening to such agents because they were desperately in need of assistance as they tried to work through the spider web of clogged agendas, cumbersome committees, obsolete procedures, and amateurism that was the Gilded Age Congressional Government."[10]

This statement describes lobbyists' relationship between the public and their representatives just as well today as it did during the Progressive Era. Corruption in the

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[10] Margaret Susan Thompson, *The "Spider Web," Congress and Lobbying in the Age of Grant,* (Ithaca: Cornell University Press, 1985), 62.

system seems almost inevitable, taking into consideration that at the end of the 19th Century, the industrial growth created an explosion of representation by new, large businesses and organizations in Washington. Thompson sees it as "a perhaps unavoidable concomitant to evolution."[11]

This corruption did not come unnoticed. In 1875, Senator Boutwell of Massachusetts introduced a bill to reorganize the House and Senate, allowing only "respected and qualified" attorneys who registered with the Congressional clerks to present the petitions of the people to Congressmen and their committees.[12] This measure did not pass, but soon after, H.R. 4849 was introduced in the House by Ellis H. Robers (R-N.Y.). This bill would encompass all types of advocacy, not just citizens petitions; its sister bill would be adopted 71-years later, and it is still intact today. The Federal Regulation of Lobbying Act of 1946, also known as the Registration of Lobbyists Act, defined a lobbyist as someone

> "who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally . . . to influence, directly or indirectly, the passage or defeat of any legislation by the Congress of the United States."

This act produced an inadequate list of lobbyists that was updated in 1963 by Milbrath, in 1983 by Walker, and then in 1986 by Scholzman and Ierney. Many lists and databases are available today, and they have continually grown longer and more comprehensive. Other major lobbyist reforms took place in 1976, and in 1998. Today, according to the senate office of public records, there are 6,231 Registrants, 19,758 Clients, and 30,402 Lobbyists that can influence the Senate today.

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[11] Thompson, *The "Spider Web,"* 64.
[12] Congressional Record, 43rd Congress, 2nd Session (1875).

As seen above, there are different types of lobbyists; in the Senate, they are listed as Registrants, Clients, and Lobbyists. There are big differences between a volunteer advocate for a non-profit organization, someone who is hired by a coalition of fifteen businesses, and a citizen who tries to better their community; but all are considered "lobbyists" because they try to get what they want from Congress. The last mentioned lobbyists are merely citizens, who are often inexperienced in politics, but trying to fulfill their patriotic duty to be represented. Every other group of lobbyists must identify and register themselves in order to petition Congress.

In order to give these lobbyists faces, Schneier and Gross identify the major types of lobbyists in these categories: Businesses, Labor and Agriculture, Professionals, Special Interests and Minorities. Businesses, as previously mentioned, would include Chambers of Commerce, guilds, large corporations, and trade associations, all of which decided in the last thirty years to establish an office in Washington, D.C. in order to be near Capitol Hill to lobby any legislation that may affect them. "Between 1974 and 1979 alone…the number of corporate lobbyists in Washington almost doubled, from 8,000 to 15,000." Many of these offices also ran committees for political action.[13]

Labor and Agriculture would include labor unions, and larger scale associations like the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), and on the Agriculture side, organizations like the National Farmers Union and the American Farm Bureau Federation. Altogether, the "major farm groups…represent more than 40 percent of America's farmers." Although agricultural jobs constitute only about two percent of America's work force, they are very well represented in Congress.[14]

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[13] Schneier, *Congress,* 150.
[14] Schneier, *Congress,* 152.

Professional associations, although not recognized often, are important in defending rights of many large professional groups, such as lawyers and doctors, as well as small groups like nursing midwives. Their goals consist mainly of setting limits on licenses given out and requirements to attain them, establishing a firm monopoly over the occupation they hold, and/or gaining federal health benefits for their members. Examples may include the American Bar Association or the American Sociological Association.[15]

Two very special categories are labeled generally: "Special Interests" groups, and "public interest lobbies," or "citizens' lobbies." Special Interest groups are deeply varied and their values/hobbies range in everything from Fly-fishing professionals to abortion rights activists. Some interest groups hold a lot of power and have a lot of sway on Congressmen considering hot issues. One example is the National Rifle Association; representing millions of Americans whose hobby is shooting and hunting, it has a lot of power to influence when gun control legislation is on the table.

Public Interest groups may include environmental safety advocates and humanitarian groups. They must lobby "without great financial resources, and without [the] large Political Action Committee contributions" generally given to Special Interest groups, and instead use morals and values to get a desired response.[16] These groups usually have large grassroots memberships that are passionate and active in politics. With "sufficient funding and talent, groups such as these can play an important role in raising new issues, as for example, Ralph Nader did with automobile safety."[17]

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[15] Schneier, *Congress,* 153-4.
[16] Advocacy Institute, *The Elements of a Successful Public Interest Advocacy Campaign; (*Washington D.C.: 1999), 27.
[17] Schneier, *Congress,* 156.

Minority groups, such as National Association for the Advancement of Colored People, have played a huge role in politics in the twentieth century. When discrimination and inequality runs rampant or unchecked, ethnic or cultural minorities unite and turn to the political arena for change. Churches and religious organizations are very powerful in uniting members of a faith into political movements, just as organizations like the American Association for Retired People is successful at calling many elderly persons to action about Medicare or Social Security.

Today, people and congressmen alike turn to lobbying agencies for the same reason that they did before: for access to the congressmen's ears, and access to quick information about the issues. Lobbyists play a vital role in politics today, and they represent a great part of a congressman's meetings in any given day. There is continual monitoring for scandals, bribery and need for reform, but overall, Congressmen and Hill Staffers stay in touch daily with numerous lobbyists, and rely heavily on their expertise. In fact, trusting relationships have been fostered between certain lobbyists and members of Congress, when they each know that the other will not lead them astray.

Senate Majority Leader Robert C. Byrd, in his series of addresses on the history of the U.S. Senate, wrote concerning the part lobbyist play in politics. In praise of these men and women, he said:

> "They spend many hours and considerable shoe leather trying to convince 535 members of Congress of the wisdom or folly of certain legislation. They face vigorous competition. They still bear the brunt of press criticism and take the blame for the sin of a small minority of their numbers. But they have a job to do, and most of them do it very well indeed. It is hard to imagine Congress without them." [18]

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[18] Byrd, *Lobbyists,* 1987.

Changes in the Congressional Office

The original congressmen came to sessions alone, with only themselves and the other congressmen to depend on for political information and opinions. Due to this lack of help and information, it is no surprise that when lobbyists came into the scene, congressmen relied upon them heavily. "Before 1886 in the Senate, and 1893 in the House, MCs had neither offices nor staff. Proposals for staffing were long regarded as insults, 'an open confession of members' inability to carry traditional legislative burdens.'" Pride was, for a long time, the reason that congressmen had no paid assistants to help them in their responsibilities. In the late 19th Century, staff members were hired to help with basic tasks in the Library of Congress, with bill drafting, and with secretarial or clerk jobs. [19]

Around the turn of the century, staffs were still small, and "it was not unusual to find senators' wives working in their husbands' offices...[doing] secretarial duties to help supplement the family income."[20] Finally, after World War II, an act was introduced that allocated to each senator enough money for a staff assistant, and to each committee, money for four professional staff members. This was the Legislative Reorganization Act of 1946. It was not until 1970 that House members were granted staff provisions, but by the late 1970s, the congressional bureaucracy expanded from two to three hundred to over 13,000: an expansion of at least 500 percent since 1946. [21] In 1975, the amount

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[19] Schneier, *Congress,* 143.
[20] U.S. Senate Internet Services, "Senate Spouses,"
<http://www.senate.gov/artandhistory/history/common/generic/SenateSpouses.htm> (21 April 2005).
[21] Schneier, *Congress,* 143.

allocated to each senator varied between $413,082 and $844,608, depending on the population of their state.[22]

This massive allocation of funds for congressional staff gave congressmen the help from professionals that they had needed for a long time. Though there was an air of success from the avalanche of newly hired staff, it was not a guarantee that all problems in passing legislation were solved. In 1977, after the bureaucracy was ignited, there were still frustrations in the "ninety-sixth Congress largely because the House's inability to process legislation in a routine fashion." More staff members were given to committees, which introduced new possibilities for the newly staffed subcommittees, which in turn produced more bills that needed to be put on the House calendar. Even with the increase of staff professionals, the increased number of bills often left some "poorly conceived and drafted." Frustrations came because the House never got through more than half of the bills on a week's schedule; this is still a problem today.[23]

There is no possible way that all of the work that is done in Congress today could be done without the professional staffs that assist in legislation, but some argue that the amount of staff is the direct cause of the increasing workload, and in turn, the need for more staff. For the Fiscal Year 2005, the Senate's total appropriated funds for "Official Personnel and Office Expenses" come to $326,000,000![24] We can only assume that this amount will increase next year, and the year after. The more staff work, the more things they discover that need to be done, which opens the door for more staff members, and more possibilities: it is a spiraling staircase to which we cannot see an end.

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[22] Randall B. Ripley, *Congress: Process and Policy*, (New York: W.W. Norton and Co., Inc., 1978), 239.
[23] Abshire, Numberger, *The Growing Power of Congress*. (Beverly Hills: Sage Publications, 1981), 171.
[24] H.R. 4755, Legislative Branch Appropriations Act, 2005, 12/8/2004, <http://thomas.loc.gov/cgi-bin/query/F?c108:4:./temp/~c108Nwu4q8:e956> (22 April 2005).

Other Regulations

With the past corruption between members of congress and lobbyists, some precautions have been implemented and enforced in the past two decades to ensure that it does not happen again.

Post-employment restrictions were part of the Ethics Reform Act of 1989 for congressmen and certain congressional staffers. A one-year "cooling off" period was set for them after leaving congressional office. In the first year, former congressmen are prohibited from lobbying any congressman, office, or employee of a legislative office. Former congressional staffers are banned from lobbying any member, staff, or employee of the legislative office or committee that they formerly worked for. Moreover, any former staffer of a congressional office who is now employed by a registered lobbyist is disallowed, for one year, to lobby the Senator for whom they used to work, as also his personal or committee staff.[25]

The regulations and appropriations instituted in the mid-20th Century, namely the Lobbyist Registration Act of 1946, and the funds allocated for congressional staff after WWII, were both institutional in creating the Congress that we have today. Lobbying has since been regulated and scrutinized seriously; nonetheless, lobbyists would continue to play a major in politics in the later 20th Century, having more than 56,000 register to lobby the Senate alone!

Congressional staffs have grown exponentially in the last quarter of a century because of the continuing need for work to be done, to fit the growing populations that need to be represented. As we will see next, congressional offices have become so

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[25] Jack Maskell, *"Revolving Door," Post-Employment Laws for Federal Personnel,* Report for CRS-web, March 11, 2003.

structured and full of staff members, that it is very difficult to ever actually speak to, or hear from the actual member of Congress, without a staff member assisting in some way.

The Congressional Office Today

Why Staff?

Congress greatly evolved in its first 200 years of existence. As we have seen, from 1776 until 1976, the atmosphere and regulations changed just as drastically as the size of the Capitol Hill Bureaucracy; lobbying is now regulated and ethics in Congress are strictly scrutinized. Nevertheless, the duties of the Legislative Branch have not changed: citizens still need to be represented and heard; the many, diverse issues facing Americans must be researched and debated; and laws need to be introduced and enacted. Every history or politics book agrees that the law-making process has always been the same: a bill must be presented before one house or the other, where it is sent to a committee, only to be sent to a subcommittee, where it may or may not be reported out of the committee. If it is fortunate enough to survive the committee process, it is taken to the floor and laid before the congressmen to be argued for or against; *then* if two-thirds of the body votes in the affirmative, the bill is sent on its way to the other house of congress, only to start all over again. This is the way the system was set up by the founding fathers, but what you don't expect is all of the work that goes on behind the scene: the hundreds of hill staffers, thousands of expert lobbyists, and millions of constituents, not to mention the occasional barrel of pork that is rolled around. All of these factors, and many others, affect the outcome of a potential law.[26]

Looking at the history of Congress, we can see a few reasons why Congressional Staffs are important: they were hired to help draft bills, do secretarial work, and be personal assistants to the very busy congressmen. Moreover, the population has

[26] As an intern in Senator Orrin Hatch, a long time Republican senator from Utah, during the summer of 2004, I learned much about the way that the Congress of the United States works, and my eyes were opened to how it *really* works.

increased so much that the average House district in 1977 contained "more than half a million people—double what it did in 1950, 18 times the population average set out in the Constitution."[27] The demands of a growing constituency and the growing number of issues have put added pressure on the representative relationship. The number of staff has increased exponentially in the last thirty years, and the thousands of staffers can't *all* be secretaries, can they? This section explores the duties that congressmen delegate to their staff members, why staffers are so heavily relied upon in legislative matters, and the typical setup of a congressional office.

A Congressman's duties

A Congressman's staff gives him the ability to function. With the many demanding roles he has to play, it is vital to have a staff that works well and efficiently together. In 1950, right after Congressional Staffs were granted to Senators, the population of the United States was over 152 million. Today, the population is booming to over 290 million, and yet there is the same number of representatives in Congress, who are asked to fulfill the same duties. The staff's job is to help him perform the best he can, and to do them for him when he cannot.

Legislation

Each year, more than twenty thousand bills—the equivalent of 500 thousand pages—are introduced before Congress.[28] Staff members are each expert in particular areas of study, and read the fine print in order to give the Congressman the most important details, but they are not physically able to read everything. When lobbyists or citizens are able to give them straight facts and honest opinions, explain how they are

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[27] Schneier, *Congress,* 7.
[28] Donald E. Dekieffer, *The Citizen's Guide to Lobbying Congress,* (Chicago: Chicago Review Press, 1997), 90.

affected by the status quo, and tell what can be done about the problem, congressmen and their staffs are very grateful.

Mail

On average, a senator receives between 250 and 1000 contacts (ie. letters, e-mails, faxes) every day, depending on the size of the state he/she represents.[29] During weeks when there are hot national issues, like the Federal Marriage Amendment or the Terri Schiavo case, the number of e-mails usually doubles. In order for each letter to be read and replied to in a timely manner—without getting lost—they had to be entered into the new high-tech mail-logging computer system.[30] Two or more full time staff members work continually on incoming and outgoing mail, and staff assistants or interns aide them in their work. These responsibilities include sorting letters into categories and assigning them to staff members, receiving replies to letters, getting them signed, then logging the out-going mail, and actually sending it.

A Senator himself writes very few of his own letters, and those that he does write are usually to personal acquaintances or replies to difficult or special letters. It would be literally impossible to reply to every letter that was sent to him, which reestablishes that:

> "No matter how conscientious the representative, there is no way to establish face-to-face communication with half a million people. No matter how concerned the citizen, there is no way to convey individual opinions with any realistic hope that they will be heard…The voice of the citizen is effectively transmitted, if it is, through the megaphone or organizations; and is received, if it is, through staffs and committees."[31]

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[29] Senator Hatch receives 25 letters, 150 e-mails, and 50 faxes on average daily; and about 250 e-mails during hot issues.

[30] An intern's foremost responsibilities was a strictly scheduled 3-4 hour block of time where they log, sort, and file the Senator's incoming mail, and then logged, signed (with the Senator's autograph machine), and filed all of the outgoing mail. As I began my mail duties, I realized the need for such a strict policy.

[31] Schneier, *Congress,* 7.

Replying to constituent letters works mostly a chain-of-command way; the letters most difficult to answer are handled by the Chief of Staff, or the Administrative Assistant, whereas responses to children's letters are usually written by interns or law clerks. All reply letters, regardless of subject, are approved by the Chief of Staff, or his/her assistant.

Each staff member is able to honestly reply for their member, because each is an expert in one area of politics (ie. environment and natural resources, military, education, health, antitrust, etc.), and understands the Senator's stance on each issue and how it will affect their constituency. If the staff is not well acquainted with a subject (as is the case for many young staff assistants or new interns), or if the subject is continually changing and being updated, there are many resources available specifically for congressional work. The Library of Congress, founded in 1814 from Thomas Jefferson's personal collections, has collections that only members of Congress or special assistants can check out. The Congressional Research Service (established in 1914 as the Legislative Reference Service) works daily to organize, research, analyze and explain legislative proposals, and provide facts on numerous subjects like law, science, foreign affairs, and economics. [32]

What would be a major challenge to one person, is done every day by staff members all over Capitol Hill, whose job it was to know how their member thinks,

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[32]As replying to constituent letters is a common task for interns in Congress, a mandatory training was given to all new interns to learn how to use the Congressional Research Service (CRS). Responding to constituent mail was always a little difficult for me, first, because I didn't have the knowledge of recent legislation that affected Medicare, RECA or dialysis patients. The second difficulty for me was that I didn't have the authority to make promises or change legislation in the Senator's name. I had to pretend to be the Senator and write replies that coordinated with his opinions, but also appease the petitioner's concerns and pleas. Of course, we were trained in how to respond, and there was a whole database of past replies to letters on certain subjects; I often would piece together my replies from other letters written on the same subject.

speaks, and votes. It's not surprising how efficient this system has become; knowing that there was no way that the Senator could do it all by himself, taking into account how many contacts he gets every day.

Even with the system as it is, it does not mean that letters don't count. Each piece of mail is weighed by its substance. During very controversial political movements, mail tends to increase, and when hundreds of people write just to state their pro- or con-opinions, a short, general answer is given in reply; nevertheless, numbers are taken in account, as to how the congressman feels he should vote in representation of his constituents. Many letters are received with the exact same wording and identical statistics, except for the sender's name; we can only assume that a form letter was copied and pasted by the members of an organization or society. These are counted, but do not receive an individual reply, and are not counted as highly as hand written, or personally researched letters that give precise and honest opinions.

Meetings

Each week, many requests are made for personal meetings with a member of Congress.[33] Many of these will be constituent groups of boy scouts, school classes, or families on their summer vacation in Washington D.C., who want their picture taken with their Congressmen; for these meetings, a staff member would not make a good substitute. The member will take as many of those as he possibly can fit into his schedule, especially if they are his own constituents. Other meetings he may be able to delegate to his staff members when he is unable to accommodate them into his schedule. Any meetings scheduled for special interests groups, advocacy groups or lobbyists will most likely be

[33] In Senator Hatch's office everyday, there are about 12-15 requests for meetings with the Senator. This number doubles around March and April.

with the staff member with expertise in that area of study. If they respond positively, the Member may support their campaign, and then there may be future meetings or contacts with the staff member. The Congressman himself may take interest and meet constituents/lobbyists, but the key contact made will be with the staffer, whose job it is to lay the facts and options before member and encourage him in a beneficial direction.

Briefings

On average, there are many briefings, party meetings, or special interest luncheons every week on Capitol Hill. Staff members or interns are assigned to go to these and report back with significant details.[34] Depending on the member, staff meetings are held weekly or daily, so that the member will be informed on the latest news and projects being worked on. Some offices, instead of meeting often, rely heavily on memos, which are short and concise, and can give a lot of information in a short amount of time. Many times, an assistant will update the member on the way to a meeting or hearing, by using these short memos.

The Organization of the Congressional Office

An idea of how the legislative body makes bills into laws is helpful, but it will not help get a bill onto the floor with support behind it. Before the bill is passed, two-thirds of the members must approve it; before they support it, they must understand it; in order for them to understand it, their staffs must understand it and brief them about it. That is the way the Legislative ranch was established; the process is the same today, but now there are thousands of more people that aid in the process—therefore, if anyone is interested in influencing a member of Congress, they must begin by informing their staff.

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[34] As an intern, I went to health-related functions of these types when I was asked to go for my supervisor. I collected papers and briefs, took notes and reported back so that my supervisor could know the most important facts. She then was able to brief Senator Hatch about any significant information.

The intricate network of Congressional staff that takes part in the details of politics every day can be easily overlooked. When endeavoring to lobby a member or members of Congress, it is best to know your way around.

The political office of a congressman is imperatively ordered in a hierarchal system. Every person has his/her set responsibilities ranging from the personal assistant to the congressman, to temporary summer interns, to the legislative assistants over committee assignments. Fox and Hammond break these responsibilities in Senate offices down into three groups. Type one are in charge of personal contact with the Senator and with journalists. These aides often handle press releases and approve them with the Senator. The second type has administrative power with the office staff and staff in other Senate and House offices. These administrators will usually contact constituents and handle constituent casework individually. The last type they mention are the legislative aides who work constantly with committees in the House and Senate, and more specifically, with the committees on which their Senator sits. Their main duties relate directly to legislative writing and research, "and, possibly, a certain amount of legislative constituent service."[35] I must disagree on the last type (in that a *majority* of their time is spent on constituent service), or I would add a fourth group to the list, whose main priorities are correspondence with constituents. The massive amounts of mail that a Senator must reply to accounts for the amount of correspondence each staffer is responsible for today. As we will explore further, each staff member remains in a particular area of expertise, in order to be knowledgeable in his or her communication with constituents, as well as in their legislative tasks.

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[35] Fox, Hammond, *Congressional Staffs: The Invisible Force in American Lawmaking;* (The Free Press, a Division of Macmillan Publishing Co., Inc. 1977), 103.

From these three basic types, a more detailed explanation of staff positions and job descriptions can be given; the first and probably most important of these positions being the Administrative Assistant (AA), or the Chief of Staff. All personnel report to the Chief of Staff, and he/she has the power to screen every question, issue, or document that is presented to the congressman. Next to kin, a congressman's AA is usually one of the most trusted and loyal people the member knows, and must have "Machiavellian political instincts, as well as organizational ability, patience, charm, and upon occasion, a nasty temper." An AA does not usually work with any particular topic, but must manage many staff members (see Figure 1) dealing with various issues. He/She decreases the demanding workload from a whole congressional office to a succinct list of the most important matters.[36] An assistant or office manager usually aids an AA.

The two other staff members that have daily and personal communication with the congressman are the Executive Assistant/Scheduler (also known as a Personal Secretary), and the Press Aide/Secretary. The job of the first is to manage the member's schedule, travel arrangements, invitations, correspondence, etc. The second is in constant communication with journalists and media, writes press releases, and helps the member with speeches and interviews. Many of their duties are routine, but they are crucial to the member's public appearance, and to his/her ability to handle daily responsibilities.

The Legislative Director, if there is one, will manage a group of Legislative Assistants (LAs), each having a certain area of expertise. LAs are very important because of their ability to take on many responsibilities. For example, one LA may be in charge of Natural Resources and Environmental issues, and their member may represent

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[36] DeKieffer, *The Citizen's Guide,* 92-3.

U.S. Congressional Office Outline

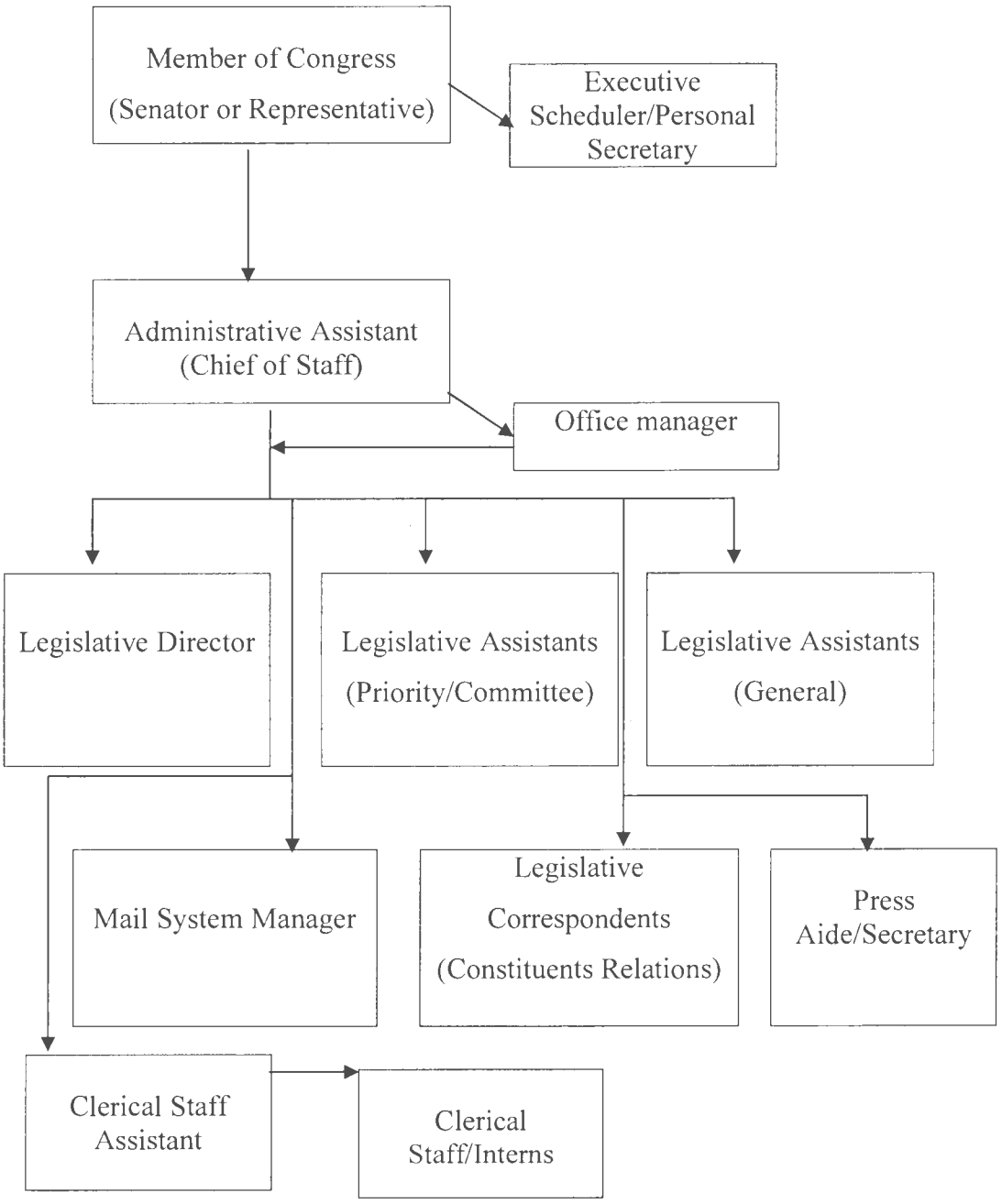

Figure 1[37]: The modern personal office of a congressman is arranged in a hierarchal system in which all staff members communicate and report to a supervisor.

[37] Source: Adapted from Donald E. DeKieffer, *The Citizen's Guide to Lobbying Congress;* (Chicago: Chicago Review Press Inc.,1997), 91.

a very rural state or district, besides being on the Senate Agriculture, Nutrition and Forestry committee. This particular LA would reply to constituent letters that deal with the environmental, but they may also help with research and any drafting needed for committee legislation. Law students or young college graduates making their way into politics fill many Legislative Assistant jobs. They play a vital role in the congressional office today.

The rest of the staff positions may vary from one office to another. [38] These staff duties often include more routine functions, such as contacting constituents, researching and drafting legislation, preparing speeches and record statements, reviewing and replying to constituent mail, filing, faxing, and managing office resources—all of which free the congressman to function in more essential roles.[39] Figure 1 shows a basic outline of a congressional office today, along with job titles and positions; it is General enough to be adapted to most congressional offices on Capitol Hill today.

Regardless of the position a staff member holds, each constantly works for a good public perception of their member. Since re-election is imperative to their having a job, they will first spend ample time working to resolve constituent problems and concerns. Moreover, since constituent mail comes en masse, every staff member will spend time replying to it. Each piece of legislation they write or encourage their member to promote will reflect on their boss' reputation.

The changes in Congress during the last sixty years have turned the once small, personal government, into a huge bureaucracy. Because the heavy workload of

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[38] Note that House offices are usually smaller than Senate offices, and often consist of an AA, who is assisted by clerical and bureaucratic staff members. A Senate office is more large and complex because of the smaller number of senators and more external attention and demands on their time.

[39] Congressional Management Foundation, *Job Descriptions- House,* 2005, <http://www.cmfweb.org/PersonnelJobsHouseSample.asp> (23 April 2005).

constituent mail, personal and committee legislation, and publicity and press work, staff members are crucial to high productivity in these areas. Time and efficiency have molded these tasks into certain staff positions that make the congressional office function as it does today. Figure 2 (below) is model of the average staff member's work load each week, including amount of time spent on Constituency Service and Correspondence, Publicity and Legislative Support.

Breaking into the congressional arena

After learning how the congressional office works, one may wonder how any individual can make an influence on their congressman when there are so many bureaucrats in the way. Many believe that is utterly impossible for one person to make a

Average Staff Work Week for the Office of a United States Representative.

Activity	*Percent of Staff Time Spent*
Legislative Support	14.2
With member in committee	
With lobbyists and special interest groups	
Writing speech drafts, floor remarks	
On legislative research, bill drafting	
Constituency Service	24.7
Constituency casework	
Visiting with constituents in Washington	
Correspondence	40.9
On pressure and opinion mail	
On opinion ballots	
On requests for information	
On letters of congratulation, condolence	
On other correspondence	
Education and Publicity	10.3
On press work, radio, television	
Mailing government publications	
Other	9.9
Total	100.00

Figure 2[40]: This table was derived from a study of the duties of congressional staff members in the 1960s. Although the results are representative of the situation forty years ago, they align closely to the work staff members' do today.

[40] Source: Randall B. Ripley, *Congress: process and policy;* (New York: W.W. Norton and Company, Inc., 1987), 241.

difference in politics, where others think (naively) that is very easy. In order to successfully make an influence on a congressman today, one must use the staff members for your advantage, by knowing the way around certain staff members, and building relationships with others.

It is difficult to enter the political arena and expect to change the world; yet there are some who have done so. By following the advice of experts and utilizing every possible resource from lobbyists to grassroots organizations, we will see that it is possible to make a difference in politics today.

Influencing Congress Today

During the brief 229-year existence of the United States Legislature, many changes have occurred: in the regulations of lobbyists, in the number of people represented in states and districts, and in the expanded abilities of Congress because of additional staff. Because of these changes, a great many matters are available for legislation and political debate, but the ability of one citizen to make a difference in politics has lessened.

Today, the difficulty in making a difference has come from population growth (and the direct impact it has on a congressman's time to represent so many people), the need for money, the growing staff bureaucracy, and ability to gain public support.

Population

There are roughly 285 million citizens of the United States. Each district contains far more people than were represented in districts of the original 13 states. Because of the increased population, each congressman must try to represent a much larger group of people, with diverse opinions and needs, and it is not an easy job. In order for citizens to make sure their views and priorities are not washed up in a tide of special interests, Ralph Nader suggests that public interest groups be formed to keep politicians in check, and to encourage citizens to demand that same accountability from their representatives.[41] This does not suggest, necessarily, that everyone should go and establish an organization to check Congress; it simply means that for those who have the desire to be heard, following the example of some Public Interest groups may be wise. This type of lobby includes persuading with values rather than money, and has grassroots membership rather than

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[41] Ralph Nader, *A Citizen's Guide to Lobbying; (*New York: Dembner Books, 1983), 14.

posing as a club for the rich and famous. This type of group will be able to cope with the following problems.

Money

Is *wealth* a prerequisite for political participation? In the political world today, it seems that the only people who have any influence are millionaires, come from powerful families, or excel at such Machiavellian talents as help them succeed in politics.

> "Half of today's Senators appear to be millionaires, with about twenty showing a net worth of $2 million or more. A relatively smaller proportion of House members, perhaps 10 percent overall, could be classified as very wealthy."[42]

Although it is extremely helpful to be a Kennedy or a Bush, it is not so very impossible to make a difference if one only knows how the government works. Making relationships in the political arena can be just as helpful. Networking and utilizing coalitions can be very helpful in an advocacy campaign with no monetary funds. Many times motivation of the public comes from the work of value-driven volunteers, not just expensive advertising. A representative will be more motivated by a constituency that is collectively united in a common cause, than by a general, nationwide organization.

Lobbyists:

In the past, lobbyists have played a huge part in politics, and not always in honest ways. Huge lobbying organizations that make up over 56,000 groups registered on Capitol Hill are hard to compete with for a congressman's attention.

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[42] Schneier, *Congress,* 86.

Thanks to lobbying restrictions in the mid-20th Century, though, strict rules have been set by Congress to prevent Lobbyists from using their millions of dollars to buy votes from Congressmen. Now, they must track and report all expenditures in lobbying pursuits. For those who lobby without a lot of money, this is a great advantage.

Another option, in regards to Lobbying firms, is to work with them, instead of against them. In nearly every field, there are many lobbying organizations already in place. According to Lewis Dexter, there are many reasons that people have turned to lobbying agencies to help in their cause. He suggests that lobbying is the best choice when:

> "a. there is a reasonable likelihood that the Congress will take action...and b. when there are enough resources available to the organization so that it can afford to invest time, energy, money, and good will in lobbying; and c. when lobbying or its results do *not* run the risk of becoming counterproductive."[43]

In other words, turning to a lobbyist is not always the answer, and there still is much that you can do with your own grassroots organization, but connecting with other groups of similar goals (lobbying or not) can be very helpful in an effort to influence Congress. If hiring a lobbyist is the answer, it can save a lot of time— automatically creating access to mounds of information, influential people, and politicians.

Staff members:

Today, in order to gain access to a congressman, one must weave through a maze of staff members. Although a member's ability to function efficiently depends on his staff, it makes it very difficult to talk to him/her. Instead of trying, it would be more prudent to make relationships with the staff—for they are the key to your political

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[43] Lewis Anthony Dexter, *How Organizations Are Represented in Washington.*University, (Maryland: Press of America Inc.,1987), 56.

influence. Although the member makes all final decisions, their staff makes recommendations and implements most decisions.[44]

Staff members must also be able to give their member up-to-date information. They will always appreciate straight facts and honest opinions, as opposed to the objective, non-biased facts they receive from the Congressional Research Service. These facts will be more compelling if they can prove to resemble the opinions of the constituency that they represent. A higher number of constituents impacted, or an exact number of people in favor of a certain matter, will give the staff member enough of a reason to encourage their member to support it.

Another way to influence Staff members is through your ability to promote the congressman they work for. Having their boss re-elected is the most important stipulation to staff members retaining their jobs. If your organization (or you personally) has the ability to send press releases to grassroots members, or publish pictures of the congressman in a local newspaper, it will be a great way to gain support.

Public support:

Probably the most important factor to a successful advocacy campaign is having supportive and active grassroots members. Empowering and strengthening these grassroots connections come by first framing the issues in a concise, comprehensible manner, then creating two-way communications by listening carefully to supporters' concerns and providing tools and incentives for accomplishing their goals. These functions will give the organization a stable base, as well as increase support from the representatives of these citizens.[45]

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[44] Sam Harris, *Reclaiming Our Democracy;* (Philadelphia: Camino Books Inc.,1994), 229.
[45] Advocacy Institute, *Elements*, 2, 19.

The major problem facing citizens' groups today is that the letters written to a congressman are hardly ever read by the congressman himself. Mail is weighed differently in a congressional office: form letters are not weighed as heavily as personal, hand-written letters, and short nonspecific letters mean less than long letters containing many facts and opinion. The challenge, then, would come in motivating large numbers of people to write to their congressmen in specific, not uniform letters.

After support is established among the grassroots, the challenge is to build and sustain the intensity and public support that will put the issue on the national agenda.

Conclusion

Many citizens in this country today, hold the naively optimistic opinion that every person makes a difference; but it is completely impossible for hundreds of millions of people to have an equal impact on voting, legislating, and public policy. This fact, however, does not justify the extreme opposite opinion that no one can have an influence, save those who are very rich, politically talented, or part of a powerful family, for many citizens have taken part in the legislative process since the founding of the nation.

With a study of the history of our representational relationships, one may come to the knowledge of what motivates a congressman to action, the magnitude of staff members in a government office, how and why lobbyists are important, and the ability to gain the cooperation from other everyday constituents. I hold to the optimism that one persevering person can learn how to make an impact on society today.

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